

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-FIRST LEGISLATURE

FIFTY-EIGHTH LEGISLATIVE DAY
TUESDAY, MARCH 6, 2012

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Darrington, LeFavour, and Lodge, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Alexa Woodland, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 5, 2012, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Darrington was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Lodge was recorded present at this order of business.

March 6, 2012

The JUDICIARY AND RULES Committee reports that [S 1372](#), [S 1373](#), [S 1374](#), [S 1375](#), [S 1376](#), [S 1377](#), [S 1378](#), [S 1379](#), [SCR 127](#), [SCR 128](#), and [SCR 129](#) have been correctly printed.

DARRINGTON, Chairman

[S 1372](#), [S 1373](#), [S 1374](#), and [S 1379](#) were referred to the State Affairs Committee.

[S 1375](#), [S 1376](#), and [S 1377](#) were referred to the Finance Committee.

[S 1378](#) was referred to the Resources and Environment Committee.

[SCR 127](#), [SCR 128](#), and [SCR 129](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 5, 2012

The FINANCE Committee reports out [H 600](#), [H 601](#), and [H 602](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 600](#), [H 601](#), and [H 602](#) were filed for second reading.

March 5, 2012

The RESOURCES AND ENVIRONMENT Committee reports out [H 457](#), [H 459](#), [H 461](#), [H 525](#), [H 543](#), [S 1271](#), and [S 1282](#) with the recommendation that they do pass.

PEARCE, Chairman

[H 457](#), [H 459](#), [H 461](#), [H 525](#), [H 543](#), [S 1271](#), and [S 1282](#) were filed for second reading.

March 5, 2012

The JUDICIARY AND RULES Committee reports out [H 497](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DARRINGTON, Chairman

There being no objection, [H 497](#) was referred to the Fourteenth Order of Business, General Calendar.

March 5, 2012

The JUDICIARY AND RULES Committee reports out [H 403](#) with the recommendation that it do pass.

DARRINGTON, Chairman

[H 403](#) was filed for second reading.

March 5, 2012

The EDUCATION Committee reports out [H 481](#), [H 556](#), and [SCR 124](#) with the recommendation that they do pass.

GOEDDE, Chairman

[H 481](#) and [H 556](#) were filed for second reading.

[SCR 124](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 5, 2012

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Curt Fransen of Garden City, Idaho, was appointed Director of the Department of Environmental Quality to serve a term commencing February 24, 2012, and continuing at the pleasure of the Governor.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Health and Welfare Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

Senator LeFavour was recorded present at this order of business.

March 5, 2012

Dear Mr. President:

I transmit herewith [H 569](#), [H 570](#), [H 577](#), [H 553](#), [H 575](#), [H 588](#), [H 590](#), [H 615](#), [H 616](#), [H 617](#), [H 618](#), [H 595](#), [H 495](#), [H 549](#), [H 550](#), [H 523](#), as amended, [HCR 46](#), [HCR 48](#), and [HCR 40](#), as amended, which have passed the House.

ALEXANDER, Chief Clerk

[H 569](#), [H 570](#), [H 577](#), [H 553](#), [H 575](#), [H 588](#), [H 590](#), [H 615](#), [H 616](#), [H 617](#), [H 618](#), [H 595](#), [H 495](#), [H 549](#), [H 550](#), [H 523](#), as amended, [HCR 46](#), [HCR 48](#), and [HCR 40](#), as amended, were filed for first reading.

March 6, 2012

Dear Mr. President:

I transmit herewith Enrolled [H 574](#), [H 419](#), [H 466](#), [H 467](#), [H 468](#), [H 498](#), and [H 482](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 574](#), [H 419](#), [H 466](#), [H 467](#), [H 468](#), [H 498](#), and [H 482](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [HCR 34](#) was before the Senate for final consideration.

Moved by Senator McKenzie, seconded by Senator Werk, that [HCR 34](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Brackett. Total - 1.

Total - 35.

Whereupon the President declared [HCR 34](#) adopted, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1380

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO CHILD CUSTODY; AMENDING CHAPTER 7, TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 32-720, IDAHO CODE, TO PROVIDE A PROCEDURE FOR THE COURT IN THE EVENT A PETITION FOR MODIFICATION OF A CHILD CUSTODY ORDER IS FILED WHERE THE ACTION MAY BE SUBJECT TO THE SERVICEMEMBERS CIVIL RELIEF ACT, TO PROVIDE THAT IN THOSE ACTIONS WHERE THE ACT DOES APPLY, THE COURT MAY ONLY TEMPORARILY MODIFY THE EXISTING CHILD CUSTODY ORDER DURING THE PERIOD OF DEPLOYMENT, TO PROVIDE FOR EXPIRATION OF SUCH TEMPORARY ORDER, TO PROVIDE FOR EXPEDITED HEARINGS, TO PROVIDE FOR THE PRESENTATION OF TESTIMONY AND EVIDENCE BY ELECTRONIC MEANS IN CERTAIN ACTIONS AND TO DEFINE TERMS.

S 1381

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE IDAHO EDUCATIONAL PUBLIC BROADCASTING SYSTEM FOR FISCAL YEAR 2013; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1382

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS.

[S 1380](#), [S 1381](#), and [S 1382](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 569](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 570](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 577](#), [H 553](#), and [H 575](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 588](#) and [H 590](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 615](#), [H 616](#), [H 617](#), and [H 618](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 595](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 495](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 549](#) and [H 550](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 523](#), as amended, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[HCR 46](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[HCR 48](#), by Education Committee, was introduced, read at length, and referred to the Education Committee.

[HCR 40](#), as amended, by Education Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1359](#), [S 1360](#), [S 1361](#), [S 1367](#), and [S 1368](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 379](#), [H 460](#), [H 462](#), [H 463](#), [H 464](#), and [H 526](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[S 1335](#), [S 1343](#), [S 1363](#), and [S 1365](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1321](#), as amended, by Resources and Environment Committee, was read the second time at length and filed for third reading.

[S 1337](#), as amended, and [S 1356](#), as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1336](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 465](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Mortimer disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippetts, Toryanski, Vick, Werk. Total - 33.

NAYS—None.

Absent and excused—Brackett, Winder. Total - 2.

Total - 35.

Whereupon the President declared [H 465](#) passed, title was approved, and the bill ordered returned to the House.

[H 492](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Tippetts arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Cameron disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippetts, Toryanski, Vick, Werk. Total - 33.

NAYS—None.

Absent and excused—Brackett, Winder. Total - 2.

Total - 35.

Whereupon the President declared [H 492](#) passed, title was approved, and the bill ordered returned to the House.

[H 546](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Cameron and Goedde arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKenzie, Mortimer, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippetts, Toryanski, Werk. Total - 30.

NAYS—McKague, Nuxoll, Pearce, Vick. Total - 4.

Absent and excused—Winder. Total - 1.

Total - 35.

Whereupon the President declared [H 546](#) passed, title was approved, and the bill ordered returned to the House.

[H 499](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Toryanski arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Werk. Total - 33.

NAYS—None.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

Whereupon the President declared [H 499](#) passed, title was approved, and the bill ordered returned to the House.

[H 521](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Fulcher arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Werk. Total - 33.

NAYS—None.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

Whereupon the President declared [H 521](#) passed, title was approved, and the bill ordered returned to the House.

[H 534](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Pearce arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Werk. Total - 33.

NAYS—None.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

Whereupon the President declared [H 534](#) passed, title was approved, and the bill ordered returned to the House.

[H 441](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Werk. Total - 33.

NAYS—None.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

Whereupon the President declared [H 441](#) passed, title was approved, and the bill ordered returned to the House.

[H 442](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Werk. Total - 33.

NAYS—None.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

Whereupon the President declared [H 442](#) passed, title was approved, and the bill ordered returned to the House.

[H 500](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Werk. Total - 33.

NAYS—None.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

Whereupon the President declared [H 500](#) passed, title was approved, and the bill ordered returned to the House.

[H 501](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Smyser arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Werk. Total - 33.

NAYS—None.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

Whereupon the President declared [H 501](#) passed, title was approved, and the bill ordered returned to the House.

[H 472](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Brackett, Broadsword, Cameron, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Johnson, Keough, LeFavour, Lodge, McKague, Nuxoll, Rice, Schmidt, Smyser, Tippets. Total - 22.

NAYS—Bock, Corder, Hill, Malepeai, McKenzie, Mortimer, Siddoway, Stennett, Werk. Total - 9.

Absent and excused—Pearce, Toryanski, Vick, Winder. Total - 4.

Total - 35.

Whereupon the President declared [H 472](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Malepeai, that all rules of the Senate interfering with the immediate consideration of [S 1337](#), as amended, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Werk. Total - 33.

NAYS—None.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1337](#), as amended, was before the Senate for final consideration.

[S 1337](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator LeFavour arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Werk. Total - 31.

NAYS—None.

Absent and excused—Pearce, Toryanski, Vick, Winder. Total - 4.

Total - 35.

Whereupon the President declared [S 1337](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Malepeai, that all rules of the Senate interfering with the immediate consideration of [S 1356](#), as amended, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Werk. Total - 33.

NAYS—None.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1356](#), as amended, was before the Senate for final consideration.

[S 1356](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Corder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Werk. Total - 33.

NAYS—None.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

Whereupon the President declared [S 1356](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Malepeai, that all rules of the Senate interfering with the immediate consideration of [S 1335](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Werk. Total - 33.

NAYS—None.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1335](#) was before the Senate for final consideration.

[S 1335](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Werk. Total - 33.

NAYS—None.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

Whereupon the President declared [S 1335](#) passed, title was approved, and the bill ordered transmitted to the House.

Having voted on the prevailing side by which [S 1337](#), as amended, passed the Senate, Senator Davis served notice that he may on this or the next legislative day move for reconsideration of the vote.

[S 1337](#), as amended, was ordered held at the Secretary's desk.

Moved by Senator Fulcher, seconded by Senator Malepeai, that all rules of the Senate interfering with the immediate consideration of [S 1343](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Werk. Total - 33.

NAYS—None.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1343](#) was before the Senate for final consideration.

[S 1343](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Werk. Total - 33.

NAYS—None.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

Whereupon the President declared [S 1343](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Third Reading Calendar was reordered placing all Senate bills as amended in the Senate at the head of the calendar, followed by Senate non Finance Committee bills, followed by Senate Finance Committee bills, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Malepeai, by voice vote, the Senate adjourned at 11:45 a.m. until the hour of 11 a.m., Wednesday, March 7, 2012.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary